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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

THUNDER STUDIOS, INC.; RODRIC DAVID  
individual  
  
PLAINTIFF(S),  
  
v.  
CHARIF KAZAL; TONY KAZAL; ADAM KAZAL  
  
DEFENDANT(S).

CASE NUMBER:

2:17-cv-00871 AB (SSx)

**NOTICE OF APPEAL**

NOTICE IS HEREBY GIVEN that Tony Kazal and Adam Kazal hereby appeals to  
*Name of Appellant*  
 the United States Court of Appeals for the Ninth Circuit from:

**Criminal Matter**

- ☐ Conviction only [F.R.Cr.P. 32(j)(1)(A)]  
☐ Conviction and Sentence  
☐ Sentence Only (18 U.S.C. 3742)  
☐ Pursuant to F.R.Cr.P. 32(j)(2)  
☐ Interlocutory Appeals  
☐ Sentence imposed:

☐ Bail status:


**Civil Matter**

- ☒ Order (specify):  
 3/14/19 Order on Rule 50(b) and 59 motion  
  
☒ Judgment (specify):  
 after jury trial, entered 1/2/19  
  
☐ Other (specify):

Imposed or Filed on \_\_\_\_\_. Entered on the docket in this action on March 14, 2019.

A copy of said judgment or order is attached hereto.

April 9, 2019  
Date

  
 Signature  
☐ Appellant/ProSe ☒ Counsel for Appellant ☐ Deputy Clerk

**Note:** The Notice of Appeal shall contain the names of all parties to the judgment or order and the names and addresses of the attorneys for each party. Also, if not electronically filed in a criminal case, the Clerk shall be furnished a sufficient number of copies of the Notice of Appeal to permit prompt compliance with the service requirements of FRAP 3(d).

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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

10 THUNDER STUDIOS, INC, et al.,

Case No. 2:17-cv-00871-AB (SSx)

11 Plaintiffs,

12 v.

**ORDER DENYING DEFENDANTS'  
MOTION FOR JUDGMENT AS A  
MATTER OF LAW, NEW TRIAL,  
AND REMITTITUR**

13  
14 CHARIF KAZAL et al.,  
15 Defendants.  
16

17 On January 30, 2019, Defendants Charif Kazal, Tony Kazal, and Adam Kazal  
18 (“Defendants”) filed a Motion for Judgment as a Matter of Law, New Trial, or  
19 Remittitur following a jury verdict in favor of Plaintiffs Thunder Studios and Rodric  
20 David (“Plaintiffs”). Dkt. No. 202. Plaintiffs opposed the Motion and Defendants  
21 filed a reply. Dkt. Nos. 204, 210. The Court finds this matter appropriate for decision  
22 without oral argument and vacates the hearing set for March 15, 2019. *See* Fed. R.  
23 Civ. P. 78; C.D. Cal. L.R. 7–15. For the following reasons, the Court **DENIES**  
24 Defendants’ Motion.

25 **I. BACKGROUND**

26 A business relationship turned sour serves as the backdrop for this litigation.  
27 Plaintiff Rodric David is an Australian citizen who entered into a joint venture with  
28 the Kazal family in the Middle East. The working relationship dissolved over time.

1 Plaintiffs allege that, in an act of retaliation after the conclusion of the partnership, the  
2 Kazal family used Thunder Studios' copyrighted works to deliver sensational  
3 messages to and about Rodric David on the Internet. On January 26, 2018, Plaintiffs  
4 filed a Second Amended Complaint ("SAC", Dkt. No. 94) against Defendants alleging  
5 copyright infringement. *See* SAC. Thunder Studios is the owner of various  
6 copyrights to photographs registered with the Copyright Office at VA 2-023-116 to  
7 VA 2-024-205. SAC ¶ 11. Plaintiffs alleged that Defendants copied Thunder  
8 Studios' photographs and posted them on the website,  
9 [www.kazalfamilystory.com/category/rodric-david/](http://www.kazalfamilystory.com/category/rodric-david/) (the "Website"). SAC ¶ 15.  
10 Plaintiff David also brought claims for the tort of stalking against Defendants. SAC ¶  
11 42-43.

12 The case progressed to a jury trial that commenced on December 4, 2018.  
13 During jury deliberations, Defendants moved for judgment as a matter of law under  
14 Federal Rule of Civil Procedure 50(a), thereby preserving its right to renew the motion  
15 pursuant to Rule 50(b). Defendants based the motion on the ground that Plaintiffs  
16 failed to provide sufficient evidence to support its claims. Defendants did argue that  
17 the Court erred in failing to admit evidence regarding an unrelated state court jury  
18 verdict against Plaintiff David in its Rule 50(a) motion. The Court denied the motion,  
19 concluding that there was sufficient disputed evidence for a jury to decide whether  
20 Plaintiffs copyrighted photographs were infringed and whether Defendants stalked  
21 Plaintiff Rodric David.

22 On December 11, 2018 the jury returned a verdict for Plaintiffs on both claims.  
23 On Thunder Studios' copyright infringement claim, the jury assessed statutory  
24 damages of \$2,600 against Charif Kazal. Judgment (Dkt. No. 192). The jury did not  
25 find Adam or Tony Kazal liable for copyright infringement. Regarding David's  
26 stalking claim, the jury returned a verdict against both Adam Kazal and Tony Kazal.  
27 Specifically, the jury assessed compensatory damages of \$100,000 and punitive  
28 damages of \$1,000,000 against Defendant Tony Kazal and Adam Kazal each. *Id.*

1 Defendants now renew their motion under Rule 50(b) claiming that: (1) the  
2 jury's verdict was not supported by the weight of the evidence, and (2) the Court erred  
3 in declining to admit evidence regarding an unrelated jury verdict against Rodric  
4 David that is not yet subject to a final judgment. Alternatively, Defendant argues  
5 either for a new trial or remittitur of the jury verdict.

## 6 **II. RENEWED MOTION FOR JUDGMENT AS A MATTER OF LAW**

7 Defendants first seek an order entering judgment as a matter of law in its favor  
8 pursuant to Rule 50(b). For the reasons discussed below, Defendants' Motion is  
9 denied.

### 10 **A. Legal Standard**

11 Rule 50 governs motions for judgment as a matter of law. A motion under Rule  
12 50(b) challenges the sufficiency of the evidence presented at trial in support of the  
13 prevailing party's case. Judgment as a matter of law after a jury verdict is proper "if  
14 the evidence, construed in the light most favorable to the nonmoving party, permits  
15 only one reasonable conclusion, and that conclusion is contrary to the jury's."  
16 *Vollrath Co. v. Sammi Corp.*, 9 F.3d 1455, 1460 (9th Cir. 1993). In contrast,  
17 judgment as a matter of law is improper if there is substantial evidence to support the  
18 jury's verdict. *See Transgo, Inc. v. Ajac Transmission Parts, Corp.*, 768 F.2d 1001,  
19 1014 (9th Cir. 1985). "'Substantial evidence' is admissible evidence that reasonable  
20 minds might accept as adequate to support a conclusion." *Davis v. Mason Cty.*, 927  
21 F.2d 1473, 1486 (9th Cir. 1991).

22 In considering a motion under Rule 50, the Court does not assess the credibility  
23 of witnesses and does not "weigh the evidence, but [instead] draws all factual  
24 inferences in favor of the nonmoving party." *Lytle v. Household Mfg., Inc.*, 494 U.S.  
25 545, 554 (1990). A party seeking judgment as a matter of law must meet a "very  
26 high" standard. *Costa v. Desert Palace, Inc.*, 299 F.3d 838, 859 (9th Cir. 2002). "We  
27 can overturn the jury's verdict and grant such a motion only if there is no legally  
28 sufficient basis for a reasonable jury to find for that party on that issue." *Id.* (internal

quotation marks omitted). Finally, the Court may not substitute its judgment of the facts for the judgment of the jury. *Tennant v. Peoria & Pekin Union Ry. Co.*, 321 U.S. 29, 33 (1944).

## **B. Discussion**

At trial, Defendant premised its Rule 50(a) motion on the ground that Plaintiffs had not presented enough evidence to support their copyright infringement or stalking claims. As discussed above, the scope of a party's Rule 50(b) motion is limited to the arguments it made in its pre-verdict Rule 50(a) motion. *Freund*, 347 F.3d at 761. Nonetheless, the Court will briefly address Defendants' argument regarding the Federal Rules of Evidence before turning to whether sufficient evidence supported the jury's verdict.

### **1. Evidence Regarding a 2017 State Court Verdict Was Properly Excluded**

Defendants sought to introduce evidence and ask questions regarding a separate case involving Plaintiff Rodric David in which a former employee brought state court claims sounding in fraud. The Court did not allow such cross-examination, holding that because the state court's jury verdict was completely unrelated to this matter and not yet subject to a final judgment, it was not admissible evidence.

Federal Rule of Evidence 608(b) provides in relevant part: "evidence is not admissible to prove specific instances of a witness's conduct in order to attack or support the witness's character for truthfulness. But the court may on cross-examination allow the witness to be inquired into if they are probative of the character for truthfulness or untruthfulness of . . . the witness". Fed. R. Evid. 608(b). The court has discretion to the extent of impeachment. *Id.* Under Federal Rule of Evidence 403, the Court must determine whether the probative value of the evidence is outweighed by the danger of confusion, prejudice, or waste of time. Fed. R. Evid. 403.

Here, Defendants' proposed evidence was limited in its usefulness. First, the state court jury verdict sounding in fraud does not relate to any matter at issue here.

1 Defendants contend that such evidence may have impacted Plaintiff David's  
2 credibility. During the course of trial, the jury was provided with numerous other  
3 witnesses who served to corroborate David's testimony regarding Defendants'  
4 stalking activities, and highlighted the emotional impact these acts may have had on  
5 David and his family. Moreover, Defendants had ample opportunity to cross examine  
6 David about the stalking incident and attempt to impeach his truthfulness on the  
7 matter during the course of trial. The Court's decision to exclude potentially  
8 prejudicial and confusing<sup>1</sup> evidence related to a wholly unrelated state lawsuit was  
9 proper.

## 10 **2. Evidence Presented at Trial Supports the Jury Verdict Finding a "Pattern** 11 **of Conduct"**

12  
13 California Civil Code § 1708.7 requires a plaintiff to prove, among other things,  
14 that a defendant engaged in a pattern of conduct. Such conduct is "comprised of a  
15 series of acts over a period of time, however short, evidencing a continuity of  
16 purpose". Defendants assert that the evidence presented at trial could not support the  
17 jury's finding of a pattern of conduct. Specifically, Defendants argue that all of the  
18 conduct in question is protected under the First Amendment. In the alternative,  
19 Defendants argue that the evidence did not support a finding that Defendants  
20 committed the tort of stalking.

21 While the Court agrees that Defendants' actions would be protected were they  
22 under the veil of the First Amendment, a reasonable jury could perceive Defendants'  
23 actions as threats. "Threats generally are not entitled to First Amendment protection."  
24 *U.S. v. Keyser*, 704 F.3d 631 (9th Cir. 2012). "Whether a particular statement may  
25 properly be considered to be a threat is governed by an objective standard—whether a  
26

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27 <sup>1</sup> Any such evidence in a completely unrelated case would needlessly confuse the jury  
28 as to the issues at hand here; namely (1) whether Defendants infringed upon Thunder  
Studios' copyright; and (2) whether Defendants stalked Rodric David.

1 reasonable person would foresee that the statement would be interpreted by those to  
2 whom the maker communicates the statement as a serious expression of intent to harm  
3 or assault.” *Id.* (internal citation omitted).

4 Drawing all inferences in a light most favorable to Plaintiff, the Court finds there  
5 was substantial evidence presented at trial to support the jury’s conclusion that  
6 Defendants Adam and Tony Kazal stalked Plaintiff David.

7 First, Plaintiffs presented evidence that Defendants entered into an email  
8 campaign against Plaintiffs. Threatening emails were sent by Defendants on a near  
9 daily basis over the course of multiple months. Plaintiffs presented evidence at trial  
10 suggesting that both Adam and Tony Kazal were responsible for sending the  
11 numerous emails threatening Plaintiff David. The emails claimed that David had  
12 committed “despicable crimes” and made “desperate lies and malicious threats”.

13 Further, on October 27, 2016, Adam Kazal sent an email which included the  
14 following language: (1) “[y]ou made it personal and I will show you that I am not  
15 going to put up with the crap you tried to dish out to my brothers”; (2) “[m]y team in  
16 LA are going to expose you wherever you go until you are charged with your crimes  
17 and my team in Sydney will expose all of the spineless thieves who thought they  
18 could help themselves to steal from my family; and (3) [g]etting your hyena to scream  
19 at the LA Police like she did yesterday exposing how the disgustingly racist elements  
20 of your family are not restricted just to your Syrian David blood is not going to stop  
21 me and my crew!!” Joint Trial Ex. No. 12.

22 Plaintiff David and his wife testified during the trial that they perceived these  
23 statements as threats of violence. Specifically, Plaintiff David testified that he was  
24 fearful that Adam Kazal had hired a hitman to personally harm David or his family.  
25 *See* Transcript Trial Day 1 (Dkt. No. 207) at 86:12-16. A reasonable jury could have  
26 viewed this evidence as establishing a “pattern of conduct” replete with threats that  
27 supported Plaintiff David’s claim for stalking. In addition, the jury heard testimony  
28 regarding the security measures the David family took as a result of these perceived



1 threats.

2 Similarly, evidence was introduced at trial that supported Plaintiff's claim that  
3 Tony Kazal contributed to the consistent email harassment suffered by the David  
4 family. Persistent harassing emails may constitute a pattern of conduct. *See Madsen*  
5 *v. Buffum*, 2013 WL 12139139 at \*1 (C.D. Cal. Jul. 17, 2013) (determining that  
6 allegations of stalking through the creation of "several websites created for the  
7 purpose of following alarming, and harassing Plaintiffs" were sufficient under  
8 California Civil Code § 1708.7).

9 Defendants argue that if Tony Kazal committed stalking, it was unreasonable  
10 for the jury to have found Charif Kazal not liable for stalking. It is not the province of  
11 the Court to determine how the jury reached its verdict; however, Charif Kazal was  
12 called as a witness at trial and was subject to cross-examination. It is entirely  
13 reasonable that the jury determined Charif Kazal's testimony was credible and did not  
14 view him as personally involved in the email campaign unlike his brothers, who were  
15 not present during the course of the trial and were not called as witnesses. Moreover,  
16 Tony Kazal was listed as the "Client" who contracted for persons to drive a van  
17 displaying derogatory signs regarding Plaintiff David during the period from  
18 November 10, 2016 to November 18, 2016. Joint Trial Ex. 20. Coupled with the  
19 numerous emails on which Tony Kazal was included, the jury could have reasonably  
20 determined that Tony was a key participant in the stalking campaign.

21 Considering the foregoing evidence presented at trial, and drawing all  
22 inferences in the light most favorable to Plaintiffs, the Court upholds the jury's  
23 conclusion that Adam and Tony Kazal stalked Plaintiff David, as it is supported by  
24 substantial evidence.

### 25 **III. NEW TRIAL**

#### 26 **A. Legal Standard**

27 Under Rule 59(a)(1), "[t]he court may, on motion, grant a new trial on all or  
28 some of the issues . . . , for any reason for which a new trial has heretofore been



1 granted in an action at law in federal court.” Fed. R. Civ. P. 59(a)(1)(A). Although  
 2 Rule 59 does not enumerate specific grounds for a new trial, the Ninth Circuit has held  
 3 that “the trial court may grant a new trial only if the verdict is contrary to the clear  
 4 weight of the evidence, is based upon false or perjurious evidence, or to prevent a  
 5 miscarriage of justice.” *Molski v. M.J. Cable, Inc.*, 481 F.3d 724, 729 (9th Cir. 2007)  
 6 (quoting *Passantino v. Johnson & Johnson Consumer Prods.*, 212 F.3d 493, 510 n.15  
 7 (9th Cir. 2000)) (brackets omitted). A district court “enjoys considerable discretion in  
 8 granting or denying the motion.” *Jorgensen v. Cassidy*, 320 F.3d 906, 918 (9th Cir.  
 9 2003).

10 When the movant claims that a verdict was against the clear weight of the  
 11 evidence at trial, a new trial should be granted only “[i]f, having given full respect to  
 12 the jury’s findings, the judge . . . is left with the definite and firm conviction that a  
 13 mistake has been committed.” *Landes Const. Co., Inc. v. Royal Bank of Canada*, 833  
 14 F.2d 1365, 1371–72 (9th Cir. 1987). A “jury’s verdict must be upheld if it is  
 15 supported by substantial evidence, which is evidence adequate to support the jury’s  
 16 conclusion, even if it is also possible to draw a contrary conclusion.” *Pavao v. Pagay*,  
 17 307 F.3d 915, 918 (9th Cir. 2002).

## 18 **B. Discussion**

### 19 **1. The Jury’s Damages Award is Not Excessive**

20 A court “may reverse a jury’s finding of the amount of damages if the amount is  
 21 grossly excessive or monstrous.” *Lambert v. Ackerley*, 180 F.3d 997, 1011 (9th Cir.  
 22 1999) (*en banc*), *cert denied*, 528 U.S. 1116, 145 L. Ed. 2d 814, 120 S. Ct. 936  
 23 (2000). Defendant argues that the damages awarded were excessive, and the Court  
 24 should accordingly order a new trial. Here, the jury awarded \$100,000 in  
 25 compensatory damages against Adam and Tony Kazal each, and \$1,000,000 in  
 26 punitive damages against Adam and Tony Kazal each. The Court will address  
 27 compensatory and punitive damages in turn.

28 ///

1                   **a.       Compensatory Damages**

2           Defendants assert that “the evidence does not show any factual basis on which  
3   the jury could have appropriately estimated compensatory damages.” Mot. at 17.  
4   However, Plaintiffs provided ample evidence at trial regarding both emotional  
5   damages and the measures taken as a result of Defendants’ conduct. Plaintiff David  
6   testified as to the emotional distress he experienced as a result of the stalking. The  
7   Ninth Circuit does not require objective evidence for a plaintiff to establish emotional  
8   distress damages. *See Zhang v. Am Gem Seafoods, Inc.*, 339 F.3d 1020, 1040 (9th Cir.  
9   2003) (determining that a requirement of substantial evidence for emotional distress  
10   damages “is not imposed by case law in . . . the Ninth Circuit, or the Supreme Court”).  
11   Plaintiff David’s testimony of fear for himself and his family is enough to substantiate  
12   the jury’s award of emotional distress damages is not unreasonable. In addition,  
13   Plaintiff took concrete measures as a result of Defendants’ conduct. David provided  
14   testimony regarding the measures he took to improve the security of his house and at  
15   Thunder Studios. *See* Transcript Trial Day 1 at 99: 1-11.

16                   **b.       Punitive Damages**

17           When examining the reasonableness of a punitive damages award, “the district  
18   court is to determine whether the jury's verdict is within the confines set by state law,  
19   and to determine, by reference to federal standards developed under Rule 59, whether  
20   a new trial . . . should be ordered.” *Pavon v. Swift Transp. Co.*, 192 F.3d 902. 909  
21   (9th Cir. 1999). The court evaluates three factors to determine whether punitive  
22   damages are excessive: “(1) the reprehensibility of defendant's conduct; (2) the ratio  
23   between any compensatory award and the punitive award; and (3) a comparison of the  
24   damage award and any potential statutory penalty for the same act.” 192 F.3d at 909  
25   (citing *BMW of N. Am., Inc. v. Gore*, 517 U.S. 559, 574–75 (1996)).

26           Here, Defendants argue the jury’s award of punitive damages is not consistent  
27   with their acts of wrongdoing. The Court analyzes the jury’s punitive damages award  
28   using the *Gore* factors.

1                                   **i. Reprehensibility**

2           To determine the reprehensibility of a defendant's conduct, a court considers (1)  
3 whether the harm was physical rather than “pure economic in nature”; (2) whether  
4 defendant's conduct shows “indifference to or reckless disregard for the health and  
5 safety of others”; (3) whether defendant “repeatedly engaged in prohibited conduct  
6 while knowing or suspecting that it was unlawful”; and (4) whether defendant's  
7 conduct involves “deliberate false statements, acts of affirmative misconduct, or  
8 concealment of evidence of improper motive”. *Gore*, 517 U.S. at 576, 579.

9           Defendants engaged in a months-long internet harassing campaign against  
10 Rodric David and his family. Defendants subjected Plaintiff David to fear, concern  
11 for his family, and frustration. Further, Plaintiff David received countless emails  
12 calling him, among other things, a “corporate thief”, threatening to follow him  
13 tirelessly and was greeted by protestors delivering the same message by his home and  
14 work. Defendants provided no evidence that their harassment was provoked or  
15 justified in any reason; Defendants’ conduct was reprehensible and punitive damages  
16 may deter further conduct.

17                                   **ii. No Civil Comparison**

18           Defendants do not identify any civil comparison for the tort of stalking; this  
19 factor is neutral with respect to the reasonableness of punitive damage.

20                                   **iii. The Ratio is Reasonable**

21           The *Gore* Court requires courts to examine the relationship between  
22 compensatory damages and punitive damages and determine the ratio to the actual  
23 harm inflicted is reasonable. *Id.* at 581. In determining reasonableness, courts must  
24 inquire “whether there is a reasonable relationship between the punitive damages  
25 award and the *harm likely to result* from defendant’s conduct as well as the harm that  
26 actually has occurred.” *Id.* (citation omitted). The punitive damages award here, at a  
27 ratio of 10:1 does not “jar one’s constitutional sensibilities”. *TXO Production Corp.*  
28 *v. Alliance Resources Corp.*, 509 U.S. 443, 462, 113 S. Ct. 2711, 2722 (1993).

1 Accordingly, the Court does not find it necessary to reduce the jury's award of  
2 punitive damages.

3 Further, the jury properly considered Defendants' wealth when determining its  
4 punitive damages award. *See State Farm Mut. Auto. Ins. Co. v. Campbell*, 538 U.S.  
5 408, 123 S.Ct. 1513 (2003) ("[Wealth] provides an open-ended basis for inflating  
6 awards when the defendant is wealthy . . . . That does not make its use unlawful or  
7 inappropriate; it simply means that this factor cannot make up for the failure of other  
8 factors, such as 'reprehensibility,' to constrain significantly an award that purports to  
9 punish a defendant's conduct."). Substantial evidence was presented at trial regarding  
10 the Kazal family's wealth, including the \$21.5 million sale of an Australian retail  
11 space in 2017. Joint Trial Ex. 51. The award of punitive damages is reasonable in  
12 light of all the evidence.

## 13 2. The Verdict Was Not Against the Weight of the Evidence

14 For the reasons discussed above in Section II.B.2 , the Court finds that Plaintiff  
15 presented substantial evidence during the trial to allow a reasonable jury to conclude  
16 that Defendants stalked Plaintiff David. *See supra* Section II.B.2. Accordingly, the  
17 Court declines to grant Defendant's Motion on this ground, as the verdict was not  
18 against the weight of the evidence presented at trial.

## 19 CONCLUSION

20 For the foregoing reasons, the Court **DENIES** Defendants' renewed Motion for  
21 Judgment as a Matter of Law, or in the alternative New Trial. The jury's award of  
22 compensatory and punitive damages is reasonable. Accordingly, the Court also  
23 **DENIES** Defendants' Motion to remit the damages awards.

24 **IT IS SO ORDERED.**

25  
26 Dated: March 14, 2019



27 HONORABLE ANDRÉ BIROTTE JR.  
28 UNITED STATES DISTRICT COURT JUDGE

JS-6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

THUNDER STUDIOS, INC.;  
RODRIC DAVID,

Plaintiffs,

v.

CHARIF KAZAL; TONY KAZAL;  
ADAM KAZAL; AND DOES 1 TO  
100, INCLUSIVE,

Defendants.

CASE NO.: 2:17-cv-00871 AB (SSx)

Hon. Andre Birotte, Jr.

~~[PROPOSED]~~ JUDGMENT AFTER  
JURY VERDICT

Verdict Rendered December 11, 2018

TO ALL INTERESTED PARTIES, THE PARTIES, AND THEIR ATTORNEYS OF  
RECORD:

By reason of Special Verdict Form (Doc. Nos. 187 and 188) and Special Verdict  
Form Punitive Damages (Doc. Nos. 189 and 190), which are incorporated herein by  
reference, Plaintiffs Thunder Studios, Inc. and Rodric David are entitled to Judgment  
against Defendants Charif Kazal, Tony Kazal and Adam Kazal. Now, therefore, it is  
ORDERED, ADJUDGED AND DECREED that:

1. Plaintiff Thunder Studios shall have and recover Two Thousand Six  
Hundred Dollars (\$2,600.00) in statutory damages pursuant to 17 U.S.C. § 504(c)(2) on  
Claim 1 (Copyright Infringement) against Defendant Charif Kazal.

2. Plaintiff Thunder Studios shall take nothing on Claim 1 (Copyright

Infringement) against Defendants Tony Kazal and Adam Kazal.

3. Plaintiff Rodric David shall have and recover One Hundred Thousand Dollars (\$100,000.00) in compensatory damages and One Million Dollars (\$1,000,000.00) in punitive damages on Claim 2 (Stalking) against Defendant Tony Kazal.

4. Plaintiff Rodric David shall have and recover One Hundred Thousand (\$100,000.00) in compensatory damages and One Million Dollars (\$1,000,000.00) in punitive damages on Claim 2 (Stalking) against Defendant Adam Kazal.

5. Plaintiff Rodric David shall take nothing on Claim 2 (Stalking) against Defendant Charif Kazal.

Attorneys' Fees and Costs

1. Plaintiff Thunder Studios, Inc. may file a Motion For Recovery of Attorneys' Fees and Costs with the Court.

2. Defendants Tony Kazal and Adam Kazal may file a Motion for Recovery of Attorneys' Fees with the Court.

3. Plaintiffs Thunder Studios, Inc. and Rodric David may file an Application to the Clerk to Tax Costs.

IT IS SO ORDERED:

Dated: 1/2/2019

  
\_\_\_\_\_  
André Birotte, Jr.  
United States District Court Judge

Submitted by:  
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